THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.21383 OF 2006

DATED: 01.11.2006

BETWEEN:

1.Korem Himajothi
2.Madireddy Madhava Reddy … petitioners

And

The Commissioner,
Municipal Corporation of Warangal,
Warangal.
And others … Respondents.

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.21383 OF 2006

ORDER:

This court ordered notice before admission on 13.10.2006 and status quo obtaining as on the said date to be maintained for a period of three weeks had been orders.

The writ petition is filed praying for a writ of mandamus declaring the action of the respondents in earmarking the portions of the plots of the lands of the petitioners admeasuring 272.22 square yards and 267.55 square yards in sy.no.153/B, 154/B, 155/A, 155/B, 156/A, 156/B of Ursu revenue village, Thimmapur Gram Panchayat, Hanamkonda mandal, Warangal district for the purpose of road widening and for the purpose of construction of a junction without initiating the land acquisition proceedings and without praying any compensation and without allotting a similar extent of the ladn to the petitioners is arbitrary, illegal, null and void and also violative of Articles 14, 19, 21 and 300-A of the Constitution of India and also voilative of the provisions of Land Acquisition Act, and consequently direct the respondents not to acquire any portion of the plots of the land in an extent of 272.22 square yards and 267.55 square yards in survey No.153/B, 154/B, 155/A, 155/B, 156/A, 156/B of Ursu revenue village, Thimmapur Gram Panchayat, hanamkonda mandal, Warangal district

respectively of the petitioner for the purpose of the road widening and for the purpose of construction of a junction until the land acquisition proceedings are initiated and until the suitable compensation is paid or in the alternate the similar plots of land is allotted to the petitioners and to pass such other order.

Several factual details are narrated in the affidavit filed in support of the writ petition. The main grievance of the petitioners is that without following due process of law, the respondents are trying to proceed with the demolition activity for the purpose of road widening.

It is needles to say that the respondents are bound to follow the procedure as per law before initiating any demolition activity.

In view of the same, the writ petition is disposed of directing the respondents not to resort to any demolition activity of the subject matter of the writ petition unless and until the respondents follow due process of law. No order as to costs.

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01.11.2006.

Note:
Issue c.c. in three days.
B/o.
mdaa